

Application No. 09/758,759

Amendment and Response to Restriction Requirement

Amendment to the claims

Please amend claims 4, 12-16, 24, 28, 29 and 31 and cancel claims 1-3, 5-11, 18-23, 25-27, 30 and 33-36 without prejudice.

Listing of Claims

This listing of claims will replace all prior versions and listings of claims in the Application.

Claims 1-3 (Cancelled).

Claim 4 (Currently amended). An isolated nucleic acid comprising ~~a coding sequence from~~ the nucleotide sequence of SEQ ID NO:1.

Claims 5-11 (Cancelled).

Claim 12 (Currently Amended). ~~An expression~~ A vector comprising a nucleic acid of claim ~~2~~ 4 ~~operably associated with an expression control sequence.~~

Claim 13 (Currently Amended). A host cell comprising ~~containing the~~ ~~expression a~~ vector of claim 12.

Claim 14 (Currently Amended). ~~The~~ A host cell of claim 13, which is a bacterial host cell.

Claim 15 (Currently Amended). ~~The~~ A host cell of claim 14, which is an *E. coli* or an actinomycete.

Claim 16 (Currently Amended). ~~The~~ A host cell of claim 15, which is *Streptomyces* or *Micromonospora*.

Claim 17 (Original). A method for expressing an everninomicin biosynthetic pathway gene product from a *Micromonospora carbonacea*, comprising culturing a

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host cell of claim 16 under conditions that permit expression of the everminomicin biosynthetic pathway gene product.

Claims 18-23 (Cancelled).

Claim 24 (Currently Amended). A method for selecting for growth of a ~~transfected or transformed~~ host cell comprising an everminomicin-resistant growth phenotype, comprising ~~selecting~~ growing a host cell containing the vector of claim 23 ~~12 and cultured~~ in the presence of an amount of everminomicin that is toxic to the a host cell which does not contain the vector.

Claims 25-27 (Cancelled).

Claim 28 (Currently Amended). A vector for genetic integration in an actinomycete host cell comprising the nucleic acid of claim ~~26~~ 4.

Claim 29 (Currently Amended). ~~The A~~ vector of claim 28, further comprising a heterologous gene ~~operatively associated with an expression control sequence~~.

Claim 30 (Cancelled).

Claim 31 (Currently Amended). A method for introducing a heterologous gene into an actinomycete, comprising introducing the vector of claim ~~28~~ 29 into the actinomycete.

Claim 32 (Original). The method according to claim 31, wherein the actinomycete is of the genus *Micromonospora*.

Claims 33-36 (Cancelled).